

ENROLLED ORIGINAL

A RESOLUTION

17-764

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Municipal Regulations to establish a specific penalty for taxicabs violating the restrictions of the Adams Morgan Taxicab Zone Pilot Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Adams Morgan Taxicab Zone Enforcement Congressional Review Emergency Declaration Resolution of 2008".

Sec. 2. (a) On June 3, 2008, the Council passed the Adams Morgan Taxicab Zone Enforcement Emergency Amendment Act of 2008, effective July 16, 2008 (D.C. Act 17-408; 55 DCR 8252) . This emergency legislation will expire on September 16, 2008. On July 1, 2008, the Council passed the Adams Morgan Taxicab Zone Enforcement Temporary Amendment Act of 2008, signed by the Mayor on July 28, 2008 (D.C. Act 17-484; 55 DCR 9148), which has a projected law date of October 8, 2008.

(b) Due to Congressional review, as of September 16, 2008, there will be a gap in legislative authority until temporary legislation comes into effect.

(c) There exists an immediate crisis regarding the proper enforcement of the Adams Morgan Taxicab Zone Pilot Program. Proper enforcement of the Adams Morgan Taxicab Zone Pilot Program is essential for the realization of the Council's intent when it approved the Performance Parking Pilot Zone Emergency Act of 2008, effective March 19, 2008 (D.C. Act 17-320; 55 DCR 3432).

(d) No specific penalty is currently prescribed for failure to comply with the restrictions of the Adams Morgan Taxicab Zone Pilot Program.

(e) A specific penalty for violations of the Adams Morgan Taxicab Zone Pilot Program must be established immediately to ensure that violations of the Adams Morgan Taxicab Zone Pilot Program are resolved in a clear manner.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Adams Morgan Taxicab Zone Enforcement Congressional Review Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-765

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to allow for authorization of funding sources and programs effective at the beginning of fiscal year 2009, commencing October 1, 2008.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Clean and Affordable Energy Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to amend the District's laws relating to energy efficiency and renewable energy funding and financing.

(b) The permanent version of the Clean and Affordable Energy Act of 2008 passed on July 16, 2008 by unanimous vote. The act was signed by the Mayor on August 4, 2008, and transmitted to Congress in accordance with the District of Columbia Home Rule Act. Because Congress recessed on August 1, 2008, and did not return to session until September 7, 2008, the earliest possible effective date for the legislation will be October 7, 2008, after the start of fiscal year 2009.

(c) An October 1, 2008 effective date is necessary to ensure a seamless transition of programs and personnel. A delay in the effective date of the act would mean that the Department of the Environment would have no authority to operate its energy efficiency programs and would have no choice but to suspend its operations until the act became effective. Such a suspension would cause undue complications to the normal administration of programs, require the suspension of key staff, and deprive District residents of needed services.

(d) This emergency will allow District agencies and local utilities to efficiently institute the funding mechanisms, to authorize new programs, and to direct other needed actions.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Clean and Affordable Energy Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-766

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to permit the inspection of records pertaining to youth in the custody of the Department of Youth Rehabilitation Services by the Chairman of the Committee on Human Services, or his designee, when necessary for the discharge of the committee's duties.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Juvenile Records Access Emergency Declaration Resolution of 2008".

Sec. 2. (a) Under section 106 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.06), records pertaining to youth in the custody of the Department of Youth Rehabilitation Services ("Department") are privileged and confidential and may only be released pursuant to D.C. Official Code § 16-2332.

(b) As this section has been interpreted by the Mayor, the Department is not permitted to provide information to the Council regarding children and youth committed to its custody and care, even in response to inquiries regarding allegations of misconduct and wrongdoing on the part of the Department.

(c) The Committee on Human Services is currently conducting an investigation of the placement decisions and programs of the Department.

(d) Access to records pertaining to youth in the custody of the Department, which is under the jurisdiction of the Committee on Human Services, is necessary for the committee to conduct its investigation.

(e) Emergency legislation is necessary to provide the Chairman of the Committee on Human Services, or his designee, access to these records.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Juvenile Records Access Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-767

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to require that the Chief Financial Officer shall not approve payment of goods, services, and leases until the Council has affirmatively approved the contract or allowed the contract to be deemed approved without Council affirmative approval.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Financial Officer Approval of Payment of Goods and Services Emergency Declaration Resolution of 2008".

Sec. 2. (a) The District's procurement laws require Council review and approval of multiyear contracts and contracts in excess of \$1 million. Council review and approval is very important to the procurement process and acts as a check and balance to ensure that the District's money is spent responsibly. District financial resources are limited, making it imperative that the procurement procedures be followed.

(b) Under current law, prior to the award of a multiyear contract, or a contract in excess of \$1 million, the Mayor, or executive independent agency or instrumentality, must submit the proposed contract to the Council for review and approval. Despite the law, the Chief Financial Officer has authorized, from time to time, the payment for goods and services prior to Council approval. For example, payments for some school modernization projects have been authorized without the approval of the Council. While these contracts were pending Council review, even after a Councilmember had introduced a resolution of disapproval, the Chief Financial Officer authorized payment.

(c) To ensure that District resources are spent responsibly, an amendment is needed to the current procurement laws that govern the authorization of payment of goods, services, and leases by the Chief Financial Officer. The amendment will require that the Chief Financial Officer not approve payment of goods, services, or leases until the Council has affirmatively approved the contract or allowed the contract to be deemed approved without Council affirmative approval.

ENROLLED ORIGINAL

(d) All parties involved in the procurement process must comply with the procurement laws.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Chief Financial Officer Approval of Payment of Goods and Services Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-768

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to require the Mayor, prior to the closing of the Franklin Shelter, to certify to the Council that no fewer than 300 men have been placed in supportive-housing units, and to require the Mayor to submit the certification to the Council along with a report on any proposed closing of the Franklin Shelter that includes a description of the current capacity, current availability, and location of replacement shelter space, and the ability to seasonally increase capacity to reduce incidences of hypothermia among the homeless population.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Franklin Shelter Closing Requirements Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to protect the health, safety, and welfare of some of the District's most vulnerable residents by establishing requirements that must be met to close the Franklin Shelter for homeless men.

(b) The Mayor has scheduled the closure of the Franklin Shelter for October 1, 2008.

(c) The Franklin Shelter is the only low barrier shelter for men in the downtown area.

(d) Capacity at the Franklin Shelter is being reduced as the projected closing date approaches.

(e) The District's other low barrier shelters for men are at or near capacity. The demand for shelter space will increase as the cold-weather season approaches.

(f) The closure of the Franklin Shelter, which is home for hundreds of men on nearly a nightly basis, will have a significant impact on its clients and the surrounding community.

(g) Placement into supportive-housing units has been promised as the solution to the reduction in bed capacity that would result from the closure of the Franklin Shelter.

ENROLLED ORIGINAL

(h) It is important that the Council be formally informed that housing has been provided for the number of men who will no longer find refuge at the Franklin Shelter and that it be assured that sufficient capacity continues to exist for men in need of emergency shelter.

(i) Because the scheduled closing of the Franklin Shelter is imminent, emergency legislation is necessary to insure that supportive housing is in place prior to the actual closing.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Franklin Shelter Closing Requirements Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-769

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To establish, on an emergency basis, a special committee to investigate the irregularities or other problems that occurred during primary elections on February 12, 2008, and September 9, 2008, including reports of ballot shortages, unsubstantiated write-in votes, and defective machinery, and to examine election processes and procedures to ensure that future elections are conducted without incident.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Board of Elections and Ethics Investigation Special Committee Emergency Declaration Resolution of 2008".

Sec. 2. (a) On February 12, 2008, and September 9, 2008, the Board of Elections and Ethics conducted primary elections.

(b) On February 12, 2008, precincts throughout the District ran out of paper ballots. The Committee on Workforce Development and Government Operations held an oversight hearing that examined this issue, as well as the Board of Elections and Ethics' plans for the September primary election.

(c) The unofficial election-night returns on September 9, 2008, included numerous unsubstantiated write-in votes, which resulted in allegations of defective voting machinery.

(d) The general election is scheduled for November 4, 2008. Because it is a presidential election, voter turnout is projected to be higher than normal.

(e) The Board of Elections and Ethics was created by the Congress of the United States as an independent agency. Oversight of the Board of Elections and Ethics is vested in the Council of the District of Columbia.

(f) Section 413(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.13(a)) ("Home Rule Act"), provides that the Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District, and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence.

(g) Council Rule 251 authorizes the Council to create special committees to consider investigations, ethics, and other matters by resolution, approved by 2/3rds of the members of the

ENROLLED ORIGINAL

Council and that such a committee may use subpoenas to obtain testimony or documents if the resolution creating the special committee authorizes the issuance of subpoenas.

(h) The primary purpose of the investigation will be to examine the irregularities or problems that occurred during the primary elections on February 12, 2008, and September 9, 2008, including reports of ballot shortages, unsubstantiated write-in votes, and defective machinery. The special committee will also examine the elections processes and procedures, including the methodology for purging voter rolls, identify areas of reform that will improve the transparency, integrity, and accuracy of elections in the District of Columbia, and determine what steps may be necessary to prevent future irregularities or problems.

(i) The Council of the District of Columbia finds that the circumstances surrounding the February 12, 2008, and September 9, 2008, elections warrant the conduct of an investigation by a special committee of the Council, including the use of subpoenas issued pursuant to the authority provided in section 413 of the Home Rule Act, and section 601 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 17.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Council Board of Elections and Ethics Investigation Special Committee Establishment Emergency Resolution of 2008 be adopted on an emergency basis.

Sec. 4. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-770

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To establish, on an emergency basis, a special committee to investigate irregularities and other problems that occurred during primary elections on February 12, 2008, and September 9, 2008, including reports of ballot shortages, unsubstantiated write-in votes, and defective machinery, and to examine election processes and procedures to ensure that future elections are conducted without incident.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Board of Elections and Ethics Investigation Special Committee Establishment Emergency Resolution of 2008".

Sec. 2. Establishment of the Council Board of Elections and Ethics Investigation Special Committee; membership.

(a) There is established a Council Board of Elections and Ethics Investigation Special Committee ("Special Committee").

(b) The Special Committee shall consist of Councilmembers Mary Cheh, Phil Mendelson, and Harry Thomas, Jr.

(c) The Special Committee shall be chaired by Councilmember Mary Cheh.

Sec. 3. Rules of procedure.

The Rules of the Council Committee on Workforce Development and Government Operations shall govern the Special Committee. The Special Committee is authorized, pursuant to Rule 226 of the Council Rules, to adopt additional rules, which are not inconsistent with Council rules, or other applicable laws.

Sec. 4. Duties; reporting requirements.

(a) The Special Committee shall conduct one or more public oversight hearings to:

(1) Investigate whether irregularities occurred during the primary election held on February 12, 2008, or September 9, 2008;

(2) Investigate reports of unsubstantiated write-in votes and defective machinery;

ENROLLED ORIGINAL

(3) Investigate the methodology used to purge voters from the rolls who are deceased or cease to reside in the District;

(4) Identify procedures, mechanisms, and other reforms to improve the transparency, integrity, and accuracy of elections;

(5) Make recommendations to ensure that future elections are conducted without incident; and

(6) Examine any other areas or matters that may be necessary to assist the Special Committee to accomplish its duties and responsibilities.

(b) The Special Committee shall present a report to the Council within 90 days of the conclusion of its investigation.

(c) Notwithstanding Council Rule 308, the Special Committee may file its report during a period of Council recess.

Sec. 5. Hearings.

(a) The Special Committee may hold public hearings on all matters related to the investigation.

(b) The Special Committee may authorize a member, committee staff, or counsel advising the Special Committee to take testimony of witnesses by oral, written, or videotaped depositions.

Sec. 6. Subpoena authorization.

The Council authorizes the Special Committee to use subpoenas to compel the attendance of witnesses, to obtain testimony, or to produce documents or other information or tangible items. Notwithstanding Council Rule 612, the Special Committee shall not be required to submit a report to the Secretary to the Council before issuing a subpoena.

Sec. 7. Filing of records.

The Special Committee shall submit its official records to the Secretary to the Council within 30 days of the filing of the report to the Council.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director.

Sec. 9. Effective date; sunset provisions.

(a) This resolution shall take effect immediately.

(b) This resolution shall expire on January 1, 2009.

ENROLLED ORIGINAL

A RESOLUTION

17-771

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to revise the definition of machine gun, to provide for the registration of pistols for use in self-defense within the home, to provide that a person holding a valid registration for a firearm shall not be required to obtain a license to carry the firearm within the registrant's home or place of business, while being used for lawful recreational purposes, or while being transported for a lawful purpose in accordance with a District or federal statute, to authorize the Chief of the Metropolitan Police Department to require a ballistics identification procedure for registered pistols, to establish a registration limit of one pistol per registrant per 30 days, to prohibit large capacity ammunition feeding devices, to clarify the firearms storage policy, and to establish penalties for the reckless storage of a firearm accessible by a minor; to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to revise the definition of machine gun and to clarify that rifles and shotguns may not be carried within the District unless otherwise provided by law; to provide a savings clause with regard to the revised definition of machine gun; and to repeal the Firearms Control Emergency Amendment Act of 2008.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Second Firearms Control Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to allow for the registration of pistols for use in self-defense within the home, to authorize the Chief of the Metropolitan Police Department to require a ballistics identification procedure for registered pistols, to establish a limit of one pistol registration per person per 30 days, to clarify the firearm storage policy, to prohibit large capacity ammunition feeding devices that would enable a gunman to fire a large quantity of ammunition before pausing to reload, to establish penalties for the reckless storage of a firearm when it may

ENROLLED ORIGINAL

be accessible to a minor, and to provide that a registrant shall not be required to obtain a license to carry a firearm within his or her home, place of business, or for lawful recreational or transport purposes.

(b) On June 26, 2008, the United States Supreme Court issued a 5-4 decision in *District of Columbia v. Heller*, No. 07-290 (2008), which held that the Second Amendment guarantees an individual's right to possess a firearm for the lawful purpose of self-defense within the home. The decision invalidated 2 provisions of the District's law regulating firearms.

(c) The Council responded quickly, adopting the Firearms Control Emergency Amendment Act of 2008, effective July 16, 2008 (D.C. Act 17-422; 55 DCR 8237), on July 15, 2008, which was signed into law by the Mayor on July 16, 2008.

(d) The Supreme Court held that the District's prohibition on the registration of pistols is unconstitutional. The District responded in D.C. Act 17-422 by permitting the registration of pistols. However, another provision of the 1975 act, which had not been challenged in *Heller* and which was not addressed by the Supreme Court, effectively prohibits the registration of most semi-automatic pistols because the typical semi-automatic can be fitted with a large ammunition magazine (with over 12 rounds) and thus is considered a machine gun as that term is defined in the 1975 act. Machine guns are prohibited weapons in the District of Columbia.

(e) There is an immediate need to revise the definition of "machine gun" in the law, since there is a question whether the Supreme Court's reasoning would apply to a ban on most semi-automatic handguns.

(f) In conjunction with the redefinition of machine gun, it is necessary to prohibit large capacity ammunition feeding devices (such as a magazine or ammunition feed strip), similar to a provision in the now-lapsed federal assault weapon ban, so as to prevent the ability of an individual to fire a large quantity of ammunition without having to pause to reload while in the District of Columbia.

(g) The Supreme Court also held that the portion of the law that requires all firearms, including rifles and shotguns, be kept "unloaded and disassembled or bound by a trigger locks" is unconstitutional because it does not contain an explicit exception for self-defense. The Supreme Court stated "[i]n sum, we hold that the District's ban on handgun possession in the home violates the Second Amendment, as does its prohibition against rendering any lawful firearm in the home operable for the purpose of immediate self-defense."

(h) It is important to respond to the Supreme Court by clarifying the safe storage provision in the law. Although the District noted in the litigation that research revealed there had never been any prosecutions under this provision, the safe storage requirement is an important statement of policy and direction consistent with accepted firearms training.

(i) The District is concerned about a potential increase in accidental shootings in the home and wants to enact laws reflective of standard gun safety practices.

(j) The Council responded in D.C. Act 17-422 by specifying a self-defense exception to the law's safe storage requirements. However, numerous citizens and commentators have said

ENROLLED ORIGINAL

the self-defense exception is confusing at best, and some contend it is a meaningless exception.

(k) The best practice in other states is to impose penalties for the reckless storage of firearms when a minor accesses, or could access, the firearm. Given the lack of prosecution under the District's 1975 safe storage law and the primary concern to reduce the likelihood of accidental shootings, a child access prevention ("CAP") law is the better approach. There is an immediate need to substitute a CAP law for the current safe storage requirement.

(l) Although surprisingly few residents have registered their handguns since enactment of D.C. Act 17-422 in July, there is only this month a federally licensed firearms dealer in the District and so there may now be an increase in the number of applications. Further, there is a public interest in limiting the number of handguns any one individual may register at one time. Both Maryland and Virginia generally limit handgun purchases to one-per-30-days, per individual.

(m) There is an immediate need to replace the current provision in D.C. Act 17-422, which limits registration to one pistol per registrant, with a provision that limits registration to one pistol per registrant every 30 days.

(n) On the last page of its *Heller* opinion, the Supreme Court acknowledged "the problem of handgun violence in this country," and the Court noted that "The Constitution leaves the District of Columbia a variety of tools for combating that problem, including some measures regulating handguns."

(o) The District shares the problem of gun violence with other dense, urban jurisdictions – a problem which is quite different than the experience in the rest of suburban and rural America. The District, however, has a unique distinction: as the nation's capital it hosts a large presence of government and diplomatic officials. The Council is cognizant of its duty to give law enforcement every tool to protect these officials and all citizens not only from violence but from assassination.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Second Firearms Control Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-772

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to prohibit the sales of single containers of beer, malt liquor, or ale by off-premises retailers located in a targeted area in Ward 4.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Targeted Ward 4 Single Sales Moratorium Emergency Declaration Resolution of 2008".

Sec. 2. The Council of the District of Columbia finds that:

(1) The sale of single containers of alcohol contributes to vagrancy, public urination, public intoxication, crime, and other anti-social behavior.

(2) Single containers often litter the public areas in the vicinity of off-premise retailers, which contribute to blighted neighborhoods.

(3) The Council has received overwhelming public testimony and support for banning the sale of singles as one of several ways of combating the social ills plaguing our neighborhoods.

(4) Areas of the District where singles have been banned have seen a marked decrease in calls to the Metropolitan Police Department for service, and of the anti-social behavior described above.

(5) The Council approved a targeted Ward 4 ban on single sales in Bill 15-516, the Omnibus Alcoholic Beverage Amendment Act of 2004. The targeted ban was scheduled to sunset on September 30, 2008.

(6) Following a public hearing held by the Committee on Public Works and the Environment on April 8, 2008, the Council approved virtually identical bans in Ward 7 and Ward 8, and ratified the ban on targeted areas in Ward 4, with readings on May 6, and June 3, 2008. That act is projected to become law on September 12, 2008. Similar bans for Mt. Pleasant in Ward 1 and in Wards 2 and 6 are currently moving through the legislative process.

(7) On September 12, 2008, the Superior Court of the District of Columbia found that because the provisions of Bill 15-516 that banned the sale of singles in Ward 4 had not received a second reading before the Council, those provisions were severed and nullified from Bill 15-516. Despite overwhelming community support for the ban in Ward 4, this action

ENROLLED ORIGINAL

effectively eviscerates the Ward 4 ban.

(8) This emergency action is necessary to keep the Ward 4 ban in place until the Council can act to re-institute the Ward 4 ban on a permanent basis.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Targeted Ward 4 Single Sales Moratorium Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-773

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To declare the existence of an emergency with respect to the need to approve a contract with the United States Department of Justice to tag onto its task order with JPMorgan Chase Bank to provide District agencies commercial card services for purchase and travel cards under the General Services Administration's SmartPay®2 Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCPO-2008-T-0076 Revised Approval Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCPO-2008-T-0076 with the United States Department of Justice to tag onto its task order with JPMorgan Chase Bank to provide District agencies commercial card services for purchase and travel cards under the General Services Administration's SmartPay®2 Program;

(b) The ability to execute this contract now will allow the Office of Contracting and Procurement to move forward with the roll out and requisite education for all District agency users immediately and will avoid any gap in the ability of District agencies to use these cards for purchases such as emergencies;

(c) By tagging the Department of Justice Task Order with JPMorgan Chase Bank, the District of Columbia government is complying with all local contracting and procurement laws.

(d) To begin this important work immediately, Council approval of the emergency approval resolution is required.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCPO-2008-T-0076 Revised Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-774

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 16, 2008

To approve, on an emergency basis, multiyear Contract No. DCPO-2008-T-0076 with the United States Department of Justice to tag onto its task order with JPMorgan Chase Bank to provide District agencies commercial card services for purchase and travel cards under the General Services Administration's SmartPay®2 Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCPO-2008-T-0076 Revised Emergency Approval Resolution of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Council approves Contract No. DCPO-2008-T-0076, a multiyear agreement with the United States Department of Justice to tag onto its task order with JPMorgan Chase Bank to provide to District agencies commercial card services for purchase and travel cards under the General Services Administration's SmartPay®2 Program, in the amount of \$25 million, for a term of 4 years from the date of award.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This resolution shall take effect immediately.